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## FACSIMILE MESSAGE

Examiner Anne L. Holleran  
Group Art Unit: 1642  
TO : USPTO

FAX NO.: 571-273-8300

FROM: Leona L. Lauder

DATE : September 12, 2005

NO. OF PAGES FOLLOWING: 3

### IMPORTANT NOTICE

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Applicant : Bruce M. Bowman

Group: 1600

Serial No.: 09/480,389

Group Art Unit: 1642

Filed : January 11, 2000

Examiner: A. Holleran

For : Immunoassays to Detect Diseases or Disease  
Susceptibility Traits



As stated on page 6 of the Final Office Action dated March 18, 2005:

In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action.

A first response to the Final Office Action was filed on May 18, 2005, which is within two months of the mailing date of the Final Office Action (March 18, 2005), and the Advisory Action was mailed from the U.S. Patent and Trademark Office on August 3, 2005 which was after the three-month shortened statutory period. Thus, the new statutory period expired on August 3, 2005. Since the Notice of Appeal and Request for Extension of Time was filed on August 18, 2005, that time period was within one-month from the date of the Advisory Action, and the Request for Extension of Time should have been for one month, and not two. Therefore, the fee should have been \$120 and not \$450.

Based on the above, Attorney for Applicants respectfully request a refund in the amount of \$330. Pursuant to 37 CFR § 1.26, since payment of the extension of time fee was made by credit card, Attorney for Applicants hereby requests that

a credit of \$330 be made to the credit card to which the fee was charged.

Respectfully submitted,



Leona L. Lauder  
Attorney for Applicants  
Registration No. 30,863

Dated: September 12, 2005